

**GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS
REGULAR/PUBLIC MEETING CONFERENCE CALL
December 2, 2004**

A Conference Call Meeting of the Georgia Board of Examiners of Licensed Dietitians was held on December 2, 2004 at 10:00 a.m. in Room 310, 237 Coliseum Drive, Macon, Georgia.

The following members were present:

Lula Hutchinson, RD, LD, Chair
Tracey Neely, MS, RD, LD
Nancy Walters, MMSc, RD, LD
Jessie Wright, MS, LD, RD, Cognizant
Joan Fischer, PhD, RD, LD

Absent:

Deedee Williams, Consumer Member

Others Present:

Jacqueline A. Hightower, Executive Director, Wylencia Monroe, Assistant Attorney General, Serena Butts, Application Specialist and Yvonne LeSane, Board Secretary.

Ms. Hutchinson established a quorum of the Board and called the meeting to order at 10:00 a.m.

Dr. Fischer moved and Ms. Neely seconded and the Board voted to approve the Minutes of October 7, 2004 and November 16, 2004 as amended.

Ms. Walters moved and Ms. Wright seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k)(1)(2), 43-1-19(h)(2)&(4), §43-1-2(k)(4) and 50-14-2(1) and to deliberate on Applications, receive information from Cognizant Report and the Attorney General's Report. Voting in favor of the motion were those present who included Board members Walters, Wright, Fischer, Neely and Hutchinson. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

Rule 157-2-.05, 157-6-.01 and 157-6-.02:

The Board held a public hearing on the proposed rules. There were no written or oral comments presented during the public hearing relating to the Rules 157-2-.05, 157-6-.01 and 157-6-.02.

Ms. Neely moved and Dr. Fischer seconded and the Board voted that the formulation and adoption of these rules do not impose regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§43-1-4, 43-1-7, 43-1-25, 43-11A-7, 43-11A-14.

Ms. Neely moved and Ms. Wright seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-4, 43-1-7, 43-1-25, 43-11A-7, 43-11A-14 to adopt or implement differing actions for businesses as listed at O.C.G.A. §§50-13-4(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of Dietetics.

Rule 157-2-.05 Fines and Penalties; Name and Address Changes:

Ms. Neely moved and Dr. Fischer seconded and the Board voted to adopt the proposed Rule 157-2-.05 as posted:

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

157-2-.05 Fines and Penalties; Name and Address Changes

- (1) Upon finding that a violation has occurred, in accordance with O.C.G.A. §§ 43-11A-15 and 43-1-19, the Board has the authority to sanction any license issued, deny a license, or refuse to renew a license.
- (2) ~~Practicing without a valid license may be grounds to deny a license or to sanction an applicant upon licensure as provided below:~~
The Board may impose any or all of the following:
- (a) Public or Private Reprimand;
 - (b) Letter of Concern;
 - (c) Imposition of Fine(s);
 - (d) Period of Probation;and
 - (e) Any other action the Board may deem appropriate.
- (3) ~~Each day of unlicensed practice shall constitute a separate violation.~~ With respect to unlicensed practice, the board may consider each day as a separate violation.
- (4) Mitigating circumstances may be taken into account in varying the sanctions subject to the Board's discretion. Mitigating circumstances shall not include failure to notify the board of an address change or failure to receive a renewal application.
- (5) Name Change. A name change request shall be accompanied by a copy of the marriage certificate, court order, or other documentation of a legal name change.
- (6) Change of Address. It is the duty of each licensee to notify the Board immediately in writing of any change of address. ~~All mail from the Board office, including renewal applications, is not forwarded by the U.S. Postal Service may not forward mail, including renewal applications, from the Board office.~~

Authority O.C.G.A. §§43-1-19, 43-1-25, 43-11A-7, 43-11A-14 and 43-11A-15

Rule 157-6-.01 Code of Conduct:

Rule 157-6-.02 Ethics and Dietitians:

Ms. Wright moved and Ms. Walters seconded and the Board voted to adopt the proposed rules 157-6-.01 and 157-6-.02 as posted:

157-6-.01 Code of Conduct

- (1). Unprofessional Conduct Defined. Unprofessional conduct may include but is not limited to the following:
- (a) failing to provide appropriate consultation or direction according to minimal standards of acceptable and prevailing practice;
 - (b) failing to supervise the provision of nutrition services in a healthcare facility according to minimal standards of acceptable and prevailing practice;
 - (c) failing to notify a doctor, nurse, or other appropriate practitioner of the healing arts as to recommended changes;
 - (d) practicing dietetics below the minimum standards of the profession as to assessments, evaluation, and documentation;
 - (e) practicing without a valid license;
 - (f) aiding in unlicensed practice, including but not limited to supervising, consulting, or co-signing notes of a registered dietitian that is not licensed under 43-11A;
 - (g) failing to report to the Board unlicensed practice of dietetics; and
 - (h) failing to provide client specific/appropriate nutritional counseling and education.

Authority O.C.G.A. § 43-1-19, 43-1-25, 43-11A-7 and 43-11A-15

157-6-.02 Ethics of Dietitians.

- (1) The licensure law for dietitians provides that a Code of Ethics will be adopted and published and licensed dietitians will be required to adhere to the Code of Ethics. This code of ethics reflects the ethical principles of the dietetic profession and outlines obligations of the member to self, client, society, and the profession, and is adapted from the Code of Ethics for the Profession of Dietetics adopted by the American Dietetic Association and the Commission on Dietetic Registration. A violation of the Code of Ethics is considered unprofessional conduct and grounds for discipline under OCGA 43-1-19(6); 43-11A-15(6).

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(2) Pursuant to O.C.G.A. § 43-11A-7(9), the Georgia Board of Examiners of Licensed Dietitians shall have the power to adopt, publish and enforce a Code of Ethics. (1) The Licensed Dietitian provides professional services with objectivity and with respect for the unique needs and values of individuals by:

- (a) providing sufficient information to enable clients, and others, to make their own informed decisions;
- (b) avoiding discrimination on the basis of factors that are irrelevant to the provision of the professional services, including, but not limited to, race, creed, sex, ethnicity, religion, disability, national origin, sexual orientation and age; and
- (c) not engaging in sexual harassment;

(3) The Licensed Dietitian accurately presents professional qualifications and credentials by:

- (a) using "L.D." or "Licensed Dietitian" only when his/her license is current and authorized by the Georgia Board of Examiners of Licensed Dietitians;
- (b) using "PLD" or "Provisionally Licensed Dietitian" only when his/her permit is current and authorized by the Georgia Board of Licensed Dietitians;
- (c) permitting use of his/her name for purpose of certifying that dietetics services have been rendered only if he/she has provided those services.

(3) The Licensed Dietitian does not aid another in violating any Law or Rule of the Georgia Board of Examiners of Licensed Dietitians or aid another person in representing himself/herself as a Licensed Dietitian/Provisionally Licensed Dietitian or practicing dietetics when he/she is not licensed or otherwise exempted from licensure.

(4) The Licensed Dietitian remains free from conflict of interest or the appearance of a conflict by providing full disclosure when a real or potential conflict of interest arises.

(5) The Licensed Dietitian promotes or endorses products only in a manner that is neither false nor misleading.

(6) The Licensed Dietitian assumes responsibility and accountability for personal competence in practice by:

- (a) practicing dietetics based on scientific principles and current information;
- (b) continually striving to increase professional knowledge and skills and to apply them in practice;
- (c) recognizing the limits of his/her qualifications and where appropriate seeks counsel or makes referrals or collaborates with others;
- (d) adhering to accepted standards for his/her area of practice.

(7) The Licensed Dietitian complies with all applicable laws and regulations concerning the profession, but seeks to change them if they are inconsistent with the best interest of the public and the profession.

(8) The Licensed Dietitian presents substantiated information and interprets controversial information without personal bias, recognizing that legitimate differences of opinion exist.

(9) The Licensed Dietitian maintains the confidentiality of information and makes full disclosure about any limitations on his/her ability to maintain full confidentiality.

(10) The Licensed Dietitian conducts him/herself with honesty, integrity and fairness by:

- (a) providing factual information to the public and colleagues of his/her services and not advertising in a false or misleading manner;
- (b) making all reasonable effort to be objective and avoid bias of any kind in the professional evaluation of others.

(11) The Licensed Dietitian accepts obligation to protect the public and promotes the high standards of professional practice by upholding the laws, rules and Code of Ethics of the Georgia Board of Examiners of Licensed Dietitians and by reporting alleged violations.

Authority O.C.G.A. § 43-1-25, and 43-11A-7

Meeting with Cathy Cox, Secretary of State:

The Board discussed the meeting with Cathy Cox, Secretary of State, on November 4, 2004 at the Secretary of State of office, Examination Bldg., 237 Coliseum Dr., Macon, Georgia.

Ms. Hutchinson and Ms. Wright highlighted points of the meeting. Lula Hutchinson, Chair will work on a letter of concern to be addressed to the Legislature.

Correspondence:

Ellen Jurgens, Georgia Dietetic Association (GDA) Liaison: Would the Board consider licensure, without repercussion, of nearly 500 American Dietetic Association members with a three (3) month grace period?

Board response: The Board will draft ideas and email to Ms. Hightower for further discussion at the February 2005 meeting.

Applications:

Maleyca H. Sheikh: Ms. Neely moved and Ms. Fisher seconded and the Board voted to approve application for licensure by CDR Registered.

Ms. Walters moved and Ms. Wright seconded and the Board voted to approve applications for licensure who were determined to have met licensure requirements as follows:

License No.	Name	Profession	Issue Date
LD002788	Light, Rebecca Brantley	Licensed Dietitian	9/20/2004
LD002789	Yurman, Kathryn Harris	Licensed Dietitian	9/20/2004
LD002790	Cox, Kristin Gail	Licensed Dietitian	9/30/2004
LD002791	Kellerhals, Robin Lea	Licensed Dietitian	10/1/2004
LD002792	Ashman, Marie Thibodeaux	Licensed Dietitian	10/1/2004
LD002793	Ragland, Shauntel Lenora	Licensed Dietitian	10/1/2004
LD002794	Merino, Luz I.	Licensed Dietitian	10/4/2004
LD002795	Blomeley, Susan Patricia	Licensed Dietitian	10/12/2004
LD002796	Sowers, Jennifer Lee	Licensed Dietitian	10/12/2004
LD002797	Young, Patricia Grace	Licensed Dietitian	10/20/2004
LD002798	Kish, Jacqueline J.	Licensed Dietitian	10/20/2004
LD002799	Giles, Lisa Phillips	Licensed Dietitian	10/20/2004
LD002800	Garner, Holly Haslam	Licensed Dietitian	10/20/2004
LD002801	Belew, Rachel Leighanne	Licensed Dietitian	10/20/2004
LD002802	Paulson, Molly Laderer	Licensed Dietitian	11/8/2004
LD002803	Jacenko, Sara Michele	Licensed Dietitian	11/8/2004
LD002804	Hart, Dorothy H.	Licensed Dietitian	11/8/2004
LD002805	Dolce, Evelyn Teresa	Licensed Dietitian	11/8/2004
LD002806	Harris, Michelle Leigh	Licensed Dietitian	11/29/2004

Ms. Walters moved and Ms. Wright seconded and the Board voted to approve applications for provisional licensure who were determined to have met provisional licensure/permit requirements as follows:

Provisional License

Name	Issue Date
Rutledge, Karen	9/30/2004
Kayser, Elise Elizabeth	10/1/2004
Lamoureux, HopeAnn Galloway	10/20/2004
Moore, Kiwanda L.	10/20/2004

Ms. Walters moved and Ms. Wright seconded and the Board voted to approve applications for restoration who were determined to have met licensure requirements as follows:

Reinstatements

Name	Issue Date
Lawson, Claudia – LD002012	9/30/2004
Dehpahlavan, Jaleh- LD000796	10/1/2004

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Wright, Lisa Cassandra- LD002039

10/6/2004

Burke, Karen Antonette- LD002314

10/6/2004

Beedoe, Jean E.- LD001410

10/15/2004

O'Neil, Elizabeth – LD002102

11/4/2004

Johnson, Gwenyth L. - LD002373

11/29/2004

Attorney General's Report:

Status Update: DIET030016, DIET050046, A.R.J., G.W.J.

Education Committee:

The Committee discussed:

- Rule 157-5-.02. To be added to February 2005 agenda
- Policy on American Dietetic Association (ADA) registration
- Chart for website

The meeting adjourned at **12:15 p.m.**

Lula Hutchinson, Chair

Mollie L. Fleeman, Division Director
Professional Licensing Boards Division

Recorded by

Jacqueline Hightower, Executive Director
Professional Licensing Boards Division